

**FAX TRANSMISSION**

CONFIDENTIAL COMMUNICATION

**PETITION WITHDRAW HOLDING
OF ABANDONMENT UNDER
37 CFR 1.181(a)**

To: Commissioner for Patents
Fax No.: (703) 872-9306

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US Serial No.: 09/577,268
Ref. No.: A2I-P0001

Comments:

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Fax Coversheet (1 page) (this sheet)

Petition to Withdraw Holding of Abandonment
for Failure to Pay Issue Fee (3 pages)Signature: 

Joseph J. Mayo

Date: 2/4/5

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/577,268
Applicant : HAZI, Ariel, et al.
Filed : 05/23/2000
TC/A.U. : 3625
Examiner : THOMPSON, Forest Jr.
Docket : A2I-P0001
Customer No. : 36067
Conf. No. : 3565

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For: TIMESHARED ELECTRONIC CATALOG SYSTEM AND METHOD

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703-872-9306

Sir:

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT FOR FAILURE TO PAY
ISSUE FEE UNDER 37 CFR 1.181(a) AND REQUEST TO ISSUE PATENT**

In response to the Notice of Abandonment mailed January 13th, 2005, Applicant hereby petitions the commissioner to withdraw holding of abandonment for failure to pay issue fee. Originally, the Notice of Allowance was sent on 3/26/2004. The issue fee was paid in full on 6/25/2004 as evidenced by the attached printout of the PAIR page for this application (see attachment page 2). A Notice of Abandonment was sent on 1/13/2005 stating that the Applicant had failed to timely pay the required issue fee and publication fee within the statutory three months from the mailing date of the Notice of Allowance. This is INCORRECT, and the holding of abandonment is in ERROR on the part of the U.S. Patent and Trademark Office. Applicant requests that the patent be issued with all due haste.

In the interest of determining the cause of the Notice of Abandonment it is important to note that a "Corrected" Notice of Allowance was sent to the Applicant on 7/22/2004, (AFTER the Issue Fee was paid). The Corrected Notice of Allowance was sent in error since there were no material corrections on the Notice of Allowance and since the Issue Fee and Publication Fee had already been paid.

Appl. No. 09/577,268
Response dated 2/4/2005
Reply to Office Action of 1/13/2005

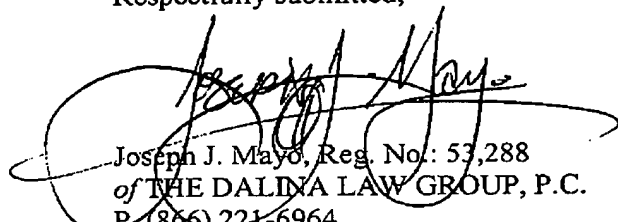
Both the original and the Corrected Notice of Allowance comprise the following text:

"THE ISSUE FEE AND PUBLICATION FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. ... THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED IN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED."

Applicant had already PAID the Issue and Publication Fees BEFORE the corrected Notice was sent, thereby satisfying the first sentence, i.e., the payment was sent within 3 MONTHS of the notice (actually within 3 months after the original notice of allowance mailing and 23 days BEFORE the notice of allowance mailing -- therefore within 3 months of both notice of allowances). In addition, and according to the last line in the paragraph the PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED..." the applicant had already sent a PTOL-85 equivalent form "within this three month period" thereby satisfying the last line of the sentence.

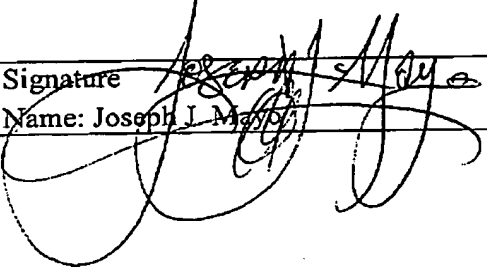
As the Issue Fee and Publication Fee were timely paid, ALL REQUIREMENTS OF 35 U.S.C. 151 HAVE BEEN SATISFIED. Applicant requests expedited issuance of the patent as per the original and timely filed PTOL-85 submission of 6/25/2004. Please use deposit account 502689 for any other charges not accounted for herein and please reference our file number A2I-P0001 when using the deposit account.

Respectfully submitted,



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Appl. No. 09/577,268
Response dated 2/4/2005
Reply to Office Action of 1/13/2005

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| | Signature  Date: February 4, 2005 Name: Joseph J. Maspoli |